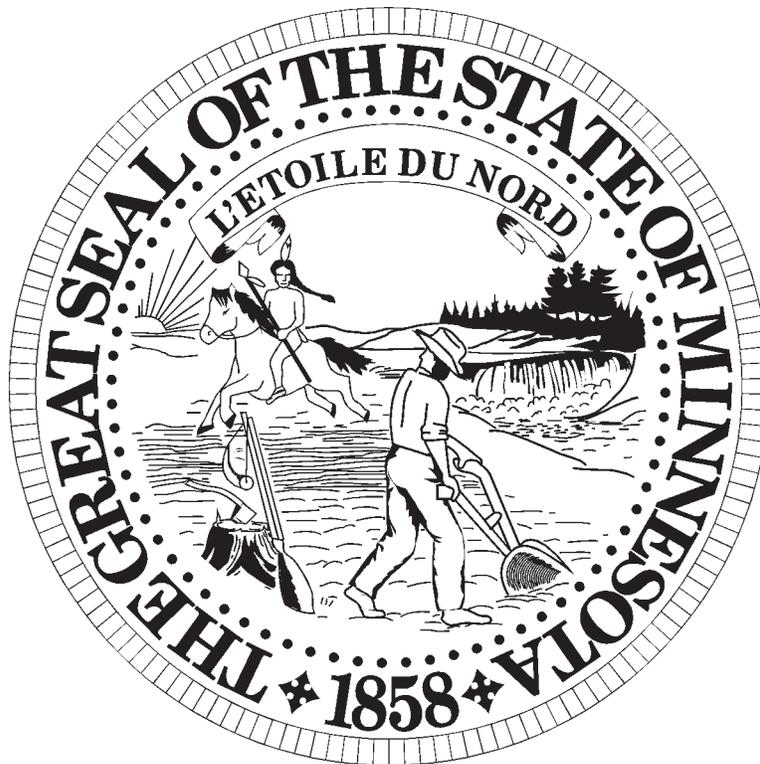


State of Minnesota

State Register



Rules and Official Notices Edition

Published every Monday (Tuesday when Monday is a holiday)
by the Department of Administration – Communications Media Division

TUESDAY 30 May 2006
Volume 30, Number 48
Pages 1287 - 1310

State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
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Printing Schedule and Submission Deadlines

Vol. 30 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Both Adopted and Proposed RULES
# 48	TUESDAY 30 May	Noon Tuesday 23 May	Noon Wednesday 17 May
# 49	Monday 5 June	Noon Tuesday 30 May	Noon Wednesday 24 May
# 50	Monday 12 June	Noon Tuesday 6 June	Noon Wednesday 31 May
# 51	Monday 19 June	Noon Tuesday 13 June	Noon Wednesday 7 June

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USPS Publication Number: 326-630 (ISSN: 0146-7751)

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Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

KEY: Proposed Rules - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

Department of Administration

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Board of Psychology

Adopted Permanent Rules Relating to Accredited Programs

The rules proposed and published at *State Register*, Volume 30, Number 22, pages 549-550, November 28, 2005 (30 SR 549), are adopted with the following modifications:

7200.1550 AMERICAN PSYCHOLOGICAL ASSOCIATION ACCREDITED PROGRAMS.

The requirements of part 7200.1300, subpart 4, items A and B, subitems (1) through (4), are met for an application based on a doctoral degree if the applicant provides acceptable evidence that the degree was earned in a doctoral program that was accredited by the American Psychological Association at the time of graduation. Acceptable evidence consists of documentation provided directly to the board by the American Psychological Association or by certification by letter sent directly to the board from the applicant's degree program director or equivalent.

Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Expedited emergency rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain emergency conditions.

Expedited emergency rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited emergency rules detail the agency's rulemaking authority.

KEY: Proposed Rules - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules; Taking Turtles Commercial Taking of Turtles

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, Section 97C.605.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are as follows. Commercial harvest started on March 1, 2006, and this change will allow a portion of the turtle population to be harvested but leave a portion of the reproductive population in the wild so that replacement can occur. This rule change will be incorporated into a permanent rule that is in process but will not be done in time to protect the turtles for the 2006 harvest season.

Dated: May 3, 2006

Gene Merriam
Commissioner of Natural Resources

6256.0500 TAKING TURTLES.

[For text of subs 1 to 8, see M.R.]

Subp. 9. **Size limits.** A turtle seller, turtle seller's apprentice, or recreational turtle licensee or a person harvesting turtles under an angling license is restricted to taking and possessing sizes of turtles as specified in items A ~~and B~~ to C. The turtle size is determined by measuring the top shell length (carapace, not including the curvature) from above the neck to above the tail.

A. Spiny softshells (*A. spinifera*) must be greater than 12 inches in shell length.

B. Snapping turtles (*Chelydra serpentina*) must be greater than 12 inches in shell length.

C. Western painted turtles (*Chrysemys picta*) must be 5 1/2 inches or smaller in shell length, except persons acting under *Minnesota Statutes*, section 97C.605, subdivision 2c, clause (4), may take and possess western painted turtles of any length greater than four inches.

[For text of subp 10, see M.R.]

Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

Minnesota Department of Natural Resources

DECISION RECORD

OFFICIAL NOTICE AND ORDER

Designation of Forest Roads in the Lost River State Forest pursuant to *Minnesota Statutes*, Section 89.71, Subdivision 1.

DESIGNATION OF FOREST ROADS IN THE LOST RIVER STATE FOREST IN ROSEAU COUNTY, MINNESOTA

Road Number 1035 Campbell Road

Road Number 1037 Lindberg Road

Road Number 1039 Grafstrom Road

NOTICE PUBLISHED: May 30, 2006
EFFECTIVE DATE: June 16, 2006

NOTICE IS HEREBY GIVEN that the Commissioner of the Minnesota Department of Natural Resources orders the designation of forest roads identified in *Exhibit A* attached hereto and incorporated herein, in the Lost River State Forest.

WHEREAS:

1. *Minnesota Statutes*, Section 89.002, subdivision 3, directs the Commissioner of Natural Resources to provide a system of state forest roads for access to state forest land and other forest land under the Commissioner's authority, which is adequate to permit the Commissioner to manage, protect, and develop those lands and their resources consistent with the forest resource management policy, and to meet demands for forest resources;

2. *Minnesota Statutes*, Section 89.71, subdivision 1, provides that the commissioner must designate and undesignate forest roads by written order published in the State Register.

3. All notice and procedural requirements in *Minnesota Statutes*, and other applicable rules and law have been complied with.

4. The forest road designations are both needed and reasonable.

NOW THEREFORE, IT IS ORDERED that the forest roads identified in *Exhibit A*, attached hereto and incorporated herein, are hereby designated pursuant to authority vested in me by Minnesota law.

IT IS FURTHER ORDERED that the designation of those forest roads identified in attached *Exhibit A* shall become effective on June 16, 2006.

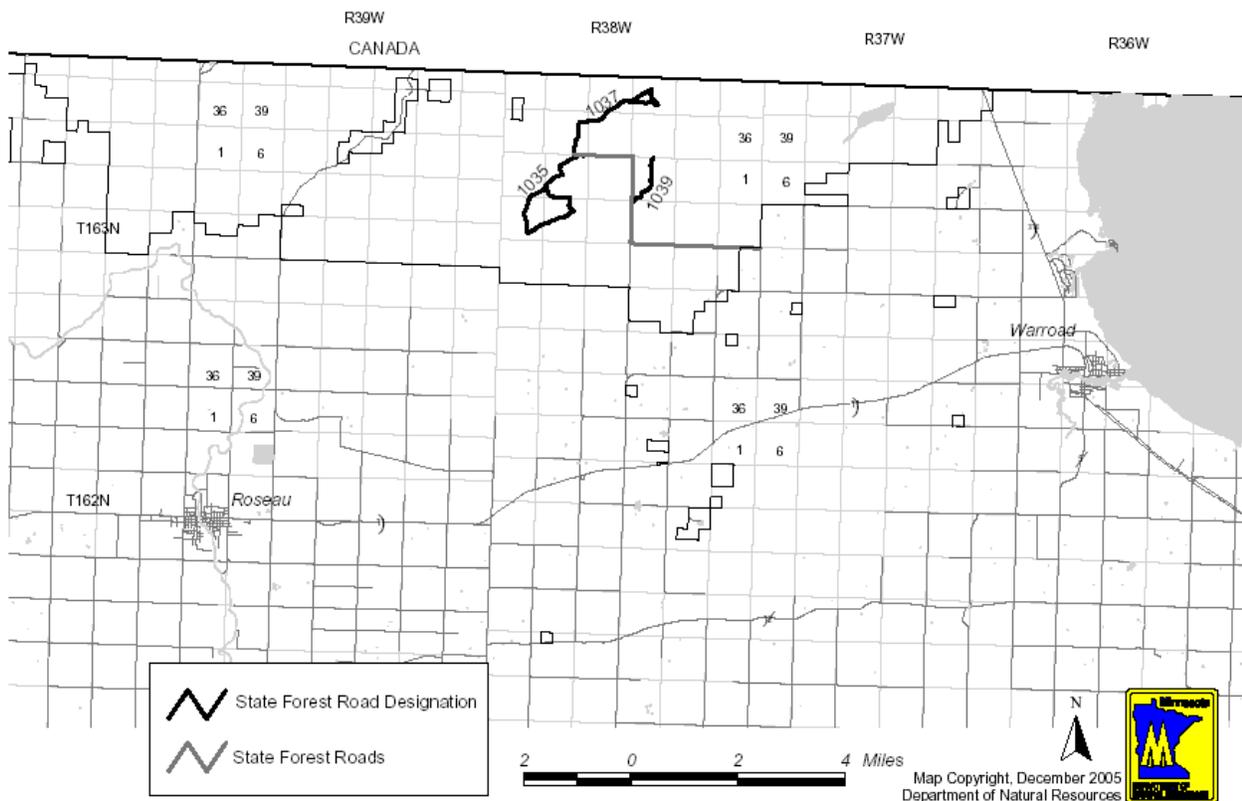
Dated: February 9, 2006

Gene Merriam, Commissioner
Department of Natural Resources

Signed copy on file w/MN DNR-Forestry Central Office.

Commissioners' Orders

Exhibit A Lost River State Forest State Forest Road Designation December 2005



Minnesota Department of Natural Resources

DECISION RECORD

OFFICIAL NOTICE AND ORDER

Undesignation of Forest Roads in St. Louis County Pursuant to *Minnesota Statutes, Section 89.71, Subdivision 1.*

UNDESIGNATION OF SPRING MINE CREEK STATE FOREST ROAD #924 IN ST. LOUIS COUNTY, MINNESOTA

NOTICE PUBLISHED: May 30, 2006

EFFECTIVE DATE: ~~February 9, 2006~~ June 16, 2006

NOTICE IS HEREBY GIVEN that the Commissioner of the Minnesota Department of Natural Resources orders the undesignation of forest roads as described below, incorporated herein, and identified in the state forest road inventory as State Forest Road #0924.

WHEREAS:

1. *Minnesota Statutes, Section 89.002, subdivision 3*, directs the Commissioner of Natural Resources to provide a system of state forest roads for access to state forest land and other forest land under the Commissioner's authority, which is adequate to permit the Commissioner to manage, protect, and develop those lands and their resources consistent with the forest resource management policy, and to meet demands for forest resources;

2. *Minnesota Statutes, Section 89.71, subdivision 1*, provides that the commissioner may designate and undesignate forest roads by written order published in the State Register.

3. All notice and procedural requirements in Minnesota Statutes, and other applicable rules and law have been complied with.

4. The forest road undesignation is both needed and reasonable.

NOW THEREFORE, IT IS ORDERED that the state forest road described below and shown on the map attached as Exhibit A is hereby undesignated and removed from the state forest road system pursuant to authority vested in me by Minnesota law:

Spring Mine Creek State Forest Road #924: Beginning along the south edge of St. Louis County Road # 615 in the northwest corner of the northwest quarter of the southwest quarter of Section 23, Township 60, Range 14 and then running south-southeasterly through the southwest quarter of Section 23 and continuing southerly through Section 26 and then southeasterly through parts of the northwest and northeast quarters of Section 35 and then continuing northeasterly through the northwest quarter of Section 36 and terminating in the southwest quarter of Section 25.

IT IS FURTHER ORDERED that the undesignation of this forest road shall become effective on June 16, 2006.

Dated: February 9, 2006

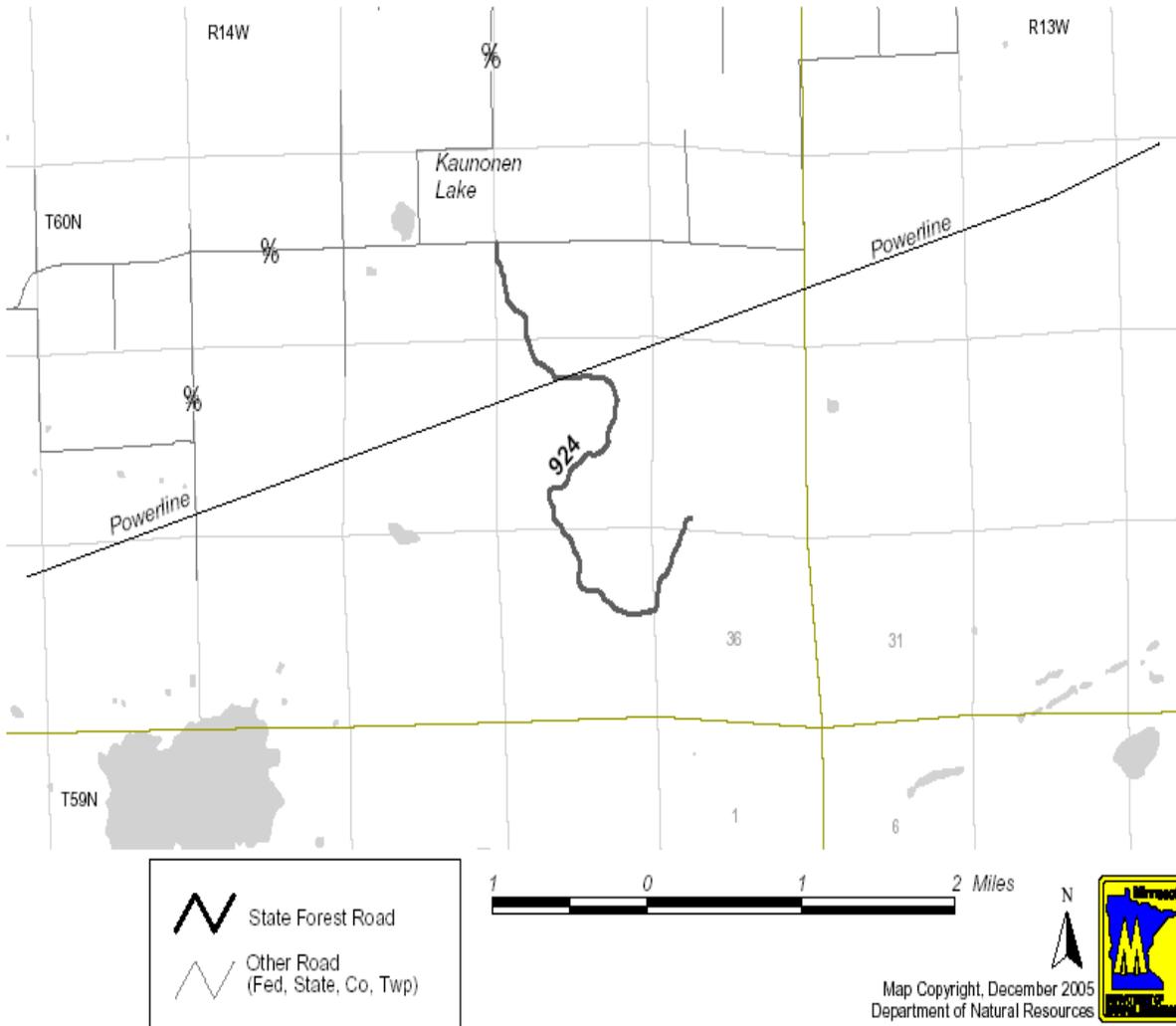
Gene Merriam, Commissioner
Department of Natural Resources

This instrument was drafted by

Minnesota Department of Natural Resources
Division of Forestry
500 Lafayette Road
St. Paul, Minnesota 55155

Commissioner's Orders

Exhibit A State Forest Road # 924 Undesignation December 2005



Revenue Notices

The Department of Revenue began issuing Revenue Notices in July of 1991. Revenue Notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue Revenue Notices is found in *Minnesota Statutes*, Section 270C.07.

Department of Revenue

Revenue Notice # 06-06: Sales and Use Tax – Sales Price – Interior Design Services

Introduction

This Revenue Notice clarifies the tax implications when interior designers or decorators (“designers”) provide consultation or design services, as well as sell taxable goods or services.

Under *Minnesota Statutes*, section 297A.61, subdivision 7(a), sales price means: “the measure subject to sales tax, and means the total amount of consideration, including cash, credit, personal property, and services, for which personal property or services are sold, leased, or rented, valued in money, whether received in money or otherwise, without any deduction for the following: (1) the seller’s cost of the property sold; (2) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expenses of the seller; (3) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges; (4) delivery charges; (5) installation charges; and (6) the value of exempt property given to the purchaser when taxable and exempt personal property have been bundled together and sold by the seller as a single product or piece of merchandise.”

Department Position

Interior design services are taxable if they result in the sale of taxable goods or services from the same business that provides the interior design service, even if the design service fee is separately stated from the sale of the taxable item or service. This means that when a business provides a client with design services and subsequently that business sells a taxable item or service to the client, then the business must charge sales tax on the entire sales price of the item or service, including the interior design service, if the interior design services are clearly tied to the sale of the items or service. Interior design services are clearly tied to the sale of taxable goods or services if one of the following conditions is met:

- 1) The client orders the tangible personal property or taxable service within a year of receiving related design services; or
- 2) The client receives credit against the purchase of tangible personal property or taxable service for the design services that are paid for separately.

Examples

1. A designer charges a client for specifying and selecting home furnishings. Fees for these services are itemized separately from the price of the home furnishings on the invoice.

All charges by the designer that are related to the sale of the home furnishings, including fees for specifying and selecting home furnishings, are taxable.

2. A home furnishings store provides design services at no charge when clients purchase furniture. If the client does not purchase furniture, the store bills the client for the consultation.

If the client does not buy furniture and pays only for the consultation, the payment is not subject to tax.

3. A designer provides design services that are related to the purchase of draperies by the client. The designer purchases the draperies and sells them to the client at cost within a year of providing related design services.

The total amount received by the designer is taxable because the designer buys the draperies exempt for resale and the sale of the draperies is clearly tied to the interior design service.

4. A commercial designer specifies merchandise for a project planned by a restaurant. The restaurant purchases the items at a different business.

Only the sale of the items is subject to tax. The interior design services are not taxable because they are not tied to the sale of tangible personal property by the designer.

5. A design studio provides interior design services to a client at an hourly fee in addition to the price of the furniture sold. The client pays \$500 for the service and later orders the furniture. The price of the furniture is \$5,000 and the studio gives the client credit for

Revenue Notices

the \$500 payment that was made for the interior design services.

The tax is imposed on the full \$5,000. Since the studio gives the client credit for the interior design services, there is a clear connection between the interior design services and the sale of the furniture.

6. A design studio provides interior design services. The studio sells furniture (taxable) and installs carpeting (the sale of installed carpeting is an improvement to real property and thus is not subject to sales tax to the final consumer; the design studio owes sales or use tax on the cost of the materials purchased).

If the studio states the cost of consulting for the furniture separately from the cost of consulting for the carpeting, only the cost of consulting for the furniture is subject to tax. If the consulting services for the nontaxable items are not itemized separately, the whole service is subject to tax.

7. A designer provides design services to a client and orders taxable merchandise from a showroom. The showroom opens an account for the client, bills the client, and the client pays the showroom directly. The designer bills the client only for the design services.

The showroom must collect the sales tax for the taxable merchandise from the client. Since the client purchases the interior design service from a separate entity, that service is not subject to tax.

8. Over a period of a few months, a designer shows a client various pieces of furniture for the client's living room. The client rejects many suggestions before finally making a selection of an item. The designer bills the client for the total time spent looking for the pieces.

All charges related to the sale of the furniture are taxable, including the charges for the time spent researching and showing the rejected pieces.

9. A designer starts showing the client samples of floor treatment in January of 2005 and continues showing more samples over a period of 18 months. In January of 2007 the client orders a number of rugs and the designer bills the client for the design service as well as the rugs.

The designer must collect the sales tax from the client on the amount received for the rugs and the design services provided starting in January of 2006. The design services provided before January 2006 are not subject to tax since they were not provided within a year of ordering the rugs.

Effective Date

The provision dealing with the one year limit is effective for design services provided on or after the date of publication.

Publication Date: May 30, 2006

John H. Mansun, Assistant Commissioner
for Tax Policy and External Relations

Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Minnesota State Agricultural Society (Minnesota State Fair) Meeting Tuesday, June 6, 2006 of the Society

MINNESOTA STATE FAIRGROUNDS - The board of managers of the Minnesota State Agricultural Society will meet at 9 a.m. Tuesday, June 6 at the Libby Conference Center on the State Fairgrounds. The Society is the governing body of the Minnesota State Fair. The session opens with a meeting of the board's sales committee, followed immediately by a general business meeting of the board. Agendas are available upon request; please phone the Minnesota State Fair at (651) 288-4400.

Minnesota State Fair 2006 will run Aug. 24 through Labor Day, Sept. 4.

Executive Council State Board of Investment Land Exchange Board Investment Advisory Council

Official Notice of Meetings of the Executive Council, State Board of Investment and the Land Exchange Board on June 7, 2006, and the Investment Advisory Council on June 6, 2006

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Wednesday, June 7, 2006 at 9:00 A.M. in Room 123, State Capitol, St. Paul, MN.

The Investment Advisory Council will meet on Tuesday, June 6, 2006 at 1:00 P.M. at the State Board of Investment, Board Room (Main Floor), 60 Empire Drive, St. Paul, MN.

Department of Human Services Continuing Care Administration Nursing Facilities Rates & Policy Division Public Notice Regarding Proposed Changes to Payment Rates Related to Nursing Facilities Participating in the Medical Assistance Program

NOTICE IS HEREBY GIVEN to recipients, providers of services under the Medical Assistance Program, and the public, of proposed payment rate changes for nursing facilities participating in the Medical Assistance Program.

This notice is published pursuant to 42 *United State Code* §1396(a)(13)(A) (§1902(a)(13)(A) of the Social Security Act), which requires the Department to publish proposed facility payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates. This notice is also published pursuant to title 42, part 447, section 205 (42 CFR §447.205), which requires publication of a notice when there is a proposed change in the methods and standards for setting payment rates for Medical Assistance services.

Pursuant to the Governor's biennial budget, the Department proposed changes to long-term care services and payment rates. The Minnesota Legislature considered the Department's proposed changes, gathered information, and held public hearings at which residents, trade associations, providers, facility employee union representatives, and the general public were invited to attend. The legislature is currently considering the public's input. The Governor's 2007 supplemental budget contained the following changes to nursing facility payment rates:

Official Notices

Performance-Incentive Payment for Nursing Facilities.

Effective July 1, 2006, nursing facilities may contract with the Department to earn performance-incentive Medical Assistance payments for achieving improvements in their quality of services. The commissioner may contract with nursing facilities to provide incentive-based payments of up to five percent of the Medical Assistance operating payment rate. The Department shall implement the performance-based incentive payments on or after July 1, 2007.

Rate Increases for Nursing Facilities.

Effective July 1, 2006, operating payment rates of nursing facilities in Stearns county, Sherburne county, and Benton county, reimbursed under *Minnesota Statutes* §256B.434 or §256B.441 shall be increased to be equal, for a RUGs rate with a weight of 1.00, to the geographic group III median rate for the same RUGs weight. The percentage of the operating payment rate for each facility to be case mix adjusted shall be equal to the percentage that is case mix adjusted in that facility's June 30, 2006 operating payment rate. This provision applies only if it results in a rate increase. Increases shall be added to the rate determined under any new reimbursement system established under §256B.440.

Ah-Gwah-Ching Conveyance Property Payment Rate.

Effective July 1, 2006, the Department of Health shall license and certify up to 80 beds transferred from an existing state-owned nursing facility in Cass county to a new facility located on the grounds of the Ah-Gwah-Ching campus. The operating cost payment rates for the new facility shall be determined based on the interim and settle up payment provisions of *Minnesota Rules*, part 9549.0057 and the reimbursement provisions of §256B.431. The property payment rate for the first three years of operation shall be \$35 per day. For subsequent years, the property payment rate of \$35 per day shall be adjusted for inflation as provided in §256B.434, subdivision 4, paragraph (c), as long as the facility has a contract under §256B.434.

If these items are enacted, the Department anticipates adding them to the MA State plan. Individual nursing facility payment rates are available by contacting the Nursing Facilities Rates and Policy Division, Minnesota Department of Human Services, PO Box 64973, St. Paul, Minnesota, 55164-0973; **phone** (651) 431- 2280. A copy of the relevant budget page and proposed rate changes is available from Sue Banken, Minnesota Department of Human Services, Continuing Care Administration, **phone:** (651) 431-2559, or **e-mail:** sue.banken@state.mn.us. Notice of final rate changes enacted by the 2006 legislature will be published in the State Register prior to the effective date of the changes.

Department of Human Services

State Operated Services Division

Public Notices of the Disproportionate Population Adjustment for State Regional Treatment Centers and Proposed Payment Rates for the State Regional Treatment Centers

NOTICE IS HEREBY GIVEN to recipients, providers of services under the Medical Assistance (MA) Program, and to the public, of proposed changes concerning the disproportionate population adjustment (DPA) and the payment rates for Regional Treatment Centers under the MA Program. This notice is published pursuant to 42 *United States Code* §1396a(a)(13)(A) (§1902(a)(13)(A) of the Social Security Act), which requires the Department to publish proposed payment rates for institutional providers, the methodologies underlying the establishment of such rates, and the justification of such rates.

In conjunction with the current state fiscal year's budget for Regional Treatment Centers, as appropriated by the legislature, payment rates are determined in accordance with *Minnesota Statutes*, §246.50, subdivision 5.

Effective for admissions occurring during State Fiscal Year 2007 (July 1, 2006 through June 30, 2007), the inpatient payment rate of each Regional Treatment Center will be adjusted by the indicated percentage:

DPA ADJUSTMENT

<u>Facility</u>	<u>SFY 2006</u>
Anoka	16.67%
Brainerd	17.49%
Eveleth	20.45%
Fergus Falls	12.70%
Willmar	12.83%

Official Notices

Due to legislative action, the following proposed MA payment rates are subject to change. Final rates for State Fiscal Year 2007 will be published prior to July 1, 2006.

Facility	Adult Mental Illness	Mental Retardation	Psychopathic Personality	Nursing Facility
Anoka	\$562			
·Anoka Transition Services	\$249			
Brainerd	\$1,591			
Community Behavioral Health Hospitals	\$850			
Fergus Falls	\$1,813			
Eveleth	\$530			
MSH ¹	\$612			
·MSH Transition Services	\$208			
·Treat to Competency	\$228			
·Forensic Adolescents	\$1,695			
Willmar	\$1,054			
Minnesota Extended Treatment Options		\$836		
Minnesota Sex Offender Program ²			\$388	
Ah-Gwah-Ching				\$960

¹ Minnesota Security Hospital on the St. Peter facility campus

² Moose Lake facility and the satellite program on the St. Peter facility campus

Questions and comments may be directed to Lynn Glancey, Minnesota Department of Human Services, State Operated Services Division, 444 Lafayette Road North, St. Paul, MN 55155-0979, **Phone** (651) 431-3690 or **Email:** Lynn.Glancey@state.mn.us.

Department of Human Services

Notice of Request for Information (RFI) Concerning Potential Benefit Recovery and Coordination of Benefit Services for Minnesota's Medicaid Authority

The Minnesota Department of Human Services is requesting vendor responses for the purpose of identifying and obtaining information about vendors experienced in benefit recovery and coordination of benefits events where another payer was legally primary to Medicaid or other statutorily entitled health care benefits. In addition, the Department is interested in the identification and pursuit of federal revenues to which the State of Minnesota is lawfully entitled under applicable federal and state program statutes, regulations and policies related to the provision of health care services. The state requests that interested entities provide details of how they would approach the research and delivery of these services and a statement of the level of interest that they would have if the state determined to competitively contract for the described services.

The complete Request for Information will be available by mail or e-mail from this office through 2:00 pm Monday June 12, 2006. **A request (by direct mail, fax or e-mail) is required to receive the Request for Information.**

The Request for Information can be obtained from:

Tom Trant
Minnesota Department of Human Services
Health Care Operations
540 Cedar Street
Saint Paul MN 55155
Telephone: (651) 431-3177
Fax: (651) 431-7439

Official Notices

E-mail: Thomas.F.Trant@state.mn.us

Information submitted in response to the Request for Information in this advertisement must be received at the address above no later than **.2:00 pm, Monday, June 19, 2006** Late submissions will not be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota Pollution Control Agency Public Notice of the Public Notice Process for Municipal Storm Water Pollution Prevention Programs and General Permit Applications

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) intends to establish a special interest mailing list for the purpose of providing notification to interested persons of the public notice dates for Storm Water Pollution Prevention Programs (SWPPPs) for Municipal Separate Storm Sewer Systems (MS4s). Pursuant to the requirements of a Minnesota Court of Appeals ruling, the MPCA is required to provide public notice and opportunity for hearing on the individual proposed SWPPPs for MS4s. The MPCA is establishing a special interest mailing list for persons requesting to be notified of the specific date each MS4s' proposed SWPPP will be placed on public notice. This list will also be used for public notice of MPCA review of discharges to prohibited or restricted waters and nondegradation decisions for selected MS4s.

Approximately 200 MS4s will submit permit applications and SWPPPs by June 1, 2006, for coverage under the General National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit (MNR040000) for MS4s. An additional 43 MS4s will submit permit applications and SWPPPs by February 15, 2007. The permit requires MS4s to develop, implement, and enforce a SWPPP that is designed to reduce the discharge of pollutants from their storm sewer system and to protect water quality. The SWPPPs must include best management practices for six minimum control measures that are set forth in the NPDES Program regulations 40 *Code of Federal Regulations* 122.34 (a) and (b).

The MPCA anticipates that the individual SWPPPs will be placed on public notice in groups, beginning in July 2006 and through March 2007. Persons on the special interest mailing list will be notified in writing of the specific dates when each group of MS4s' SWPPPs will be public noticed.

To request to be placed on the special interest mailing list for public notice of MS4 SWPPPs; please submit your name, complete mailing address, and telephone number to:

Minnesota Pollution Control Agency
Municipal Division
MS4 Storm Water Permit Program
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
or by **e-mail** to MPCA MS4 Permit Program at: ms4permit@pca.state.mn.us

A list of the public notice dates, and the locations where the proposed SWPPPs will be available for public review, will be posted on the MPCA **website** at: <http://www.pca.state.mn.us/water/stormwater/ms4-appnotice.html>

This website also contains additional information about the process for public notice of SWPPPs including requirements for MS4s.

Minnesota Pollution Control Agency Remediation Division Minnesota Department of Agriculture Pesticide & Fertilizer Management Division Notice of Proposed Update of the State Superfund Priority List (Superfund List) (also known as the Permanent List of Priorities or (PLP)) Among Releases or Threatened Releases of Hazardous Substances or Pollutants or Contaminants

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA), and Minnesota Department of Agriculture (MDA) is publishing for public comment proposed additions to and deletions from the State Superfund List which lists releases or

Official Notices

threatened releases of hazardous substances, pollutants, or contaminants for which the MPCA or MDA may take removal or remedial actions under the Minnesota Environmental Response and Liability Act (MERLA), *Minnesota Statutes* § 115B.

Pursuant to *Minnesota Statutes* § 115B.17 (2005) and *Minnesota Rules* 7044.0950 (2004), the MPCA and MDA is proposing the following changes to the Superfund List.

The MPCA is proposing to add the following five sites to the PLP (Hazard Ranking Score assigned pursuant to *Minnesota Rules* 7044.0350 follows the site): Edina Well Field Site, Hennepin County (50); Rochester Ground Water Plume, Olmsted County (50); Minnesota Valley Landfill, Scott County (14); Hibbing Gas Manufacturing Site, St. Louis County (11); and Esko Ground Water Plume, Carlton County (8).

Each site has been assigned to Response Action Classes C and D (see *Minnesota Rules* 7044.0450).

The four response action classes are defined as follows: Class A - Declared Emergency; Class B - Response Actions Completed and Operation and Maintenance/Long-Term Monitoring Ongoing; Class C - Response Actions Necessary or in Progress or First Year Operation and Maintenance at a Site; and Class D - Remedial Investigations and Feasibility Studies (RI/FS) Necessary or in Progress.

In addition, the MDA is proposing to delete the following site from the PLP: Castle Rock Ground Water Contamination Site, Dakota County.

The MDA has determined that either all MERLA Response Actions have been completed at this site or that the site does not pose a threat to public health or welfare or the environment.

The MPCA and MDA invite members of the public to submit written comments on the proposed additions to and deletion from the State Superfund List. All written comments with regard to these proposed changes to the Superfund List must be received no later than 4:30 p.m. on June 30, 2006.

Written comments regarding the proposed MDA deletion should be submitted to:

Robert Anderson,
Incident Response Unit,
Pesticide & Fertilizer Management Division,
Minnesota Department of Agriculture,
625 Robert Street North,
St. Paul, Minnesota 55155-2538

Written comments regarding the proposed MPCA additions to the Superfund List should be submitted to:

Gary L. Krueger,
Superfund & Emergency Response Section,
Remediation Division,
Minnesota Pollution Control Agency,
520 Lafayette Road North,
St. Paul, Minnesota 55155-4194.

Any interested person may submit a petition to the Commissioner of the MPCA requesting that the MPCA Citizens' Board make the decision on whether to adopt these changes to the Superfund List that have been proposed by the MPCA and MDA. To be considered timely, the petition must be received by the MPCA contact person, Gary L. Krueger, by 4:30 p.m. on June 30, 2006.

The decision whether to adopt these proposed changes to the Superfund List will be made by the MPCA Citizens' Board if: (1) the MPCA Commissioner grants the petition requesting the matter to be presented to the MPCA Citizens' Board; or (2) a MPCA Citizens' Board member requests to hear the matter prior to the time the MPCA Commissioner makes a final decision on the proposed changes to the Superfund List.

All written comments received by the above deadline will be considered by the MPCA and MDA in establishing the updated State Superfund List.

Gene Hugoson, Commissioner
Minnesota Department of Agriculture

Sheryl A. Corrigan, Commissioner
Minnesota Pollution Control Agency

Official Notices

Department of Transportation

Program Management Division

Office of Investment Management

Notice of Solicitation for Public Review and Comment on the Draft State Transportation Improvement Program (STIP) for State Fiscal Years 2007-2008-2009 (July 1, 2006 to June 30, 2009)

The Minnesota Department of Transportation is offering an opportunity for public review and comment on a draft State Transportation Improvement Program (STIP) for state fiscal years 2007-2008-2009 (July 1, 2006 to June 30, 2009). The program of transportation projects annually utilizes about \$539 million federal funds, \$290 million of state trunk highway funds, and funds from local and other sources. Projects include local road and bridge projects utilizing federal funds; transit capital investments; state highway road and bridge projects; enhancement projects; congestion mitigation and air quality projects; scenic byway projects; and other projects intending to utilize federal highway funds, federal transit funds, or state trunk highway funds. The proposed *State Transportation Improvement Program* is available for review at Department of Transportation District Offices:

District 1 – Duluth, 1123 Mesaba Avenue, Duluth, MN 55811;

District 2 – Bemidji, Box 490, 3920 Highway 2 West, Bemidji, MN 56619;

District 3 – Baxter, 7694 Industrial Park Road, Baxter, MN 56425-8096;

District 4 – Detroit Lakes, 1000 Hwy. 10 West, Detroit Lakes, MN 56501;

District 6 – Rochester, 2900 48th Street N. W., Rochester, MN 55901-5858;

District 7 – Mankato, 501 South Victory Drive, Mankato, MN 56001-5302;

District 8 – Willmar, 2505 Transportation Road, Willmar, MN 56201;

Metro Division – Waters Edge Building, 1500 W. Co. Rd. B2, Roseville, MN 55113;

or the Office of Investment Management, Mail Stop 440, 395 John Ireland Boulevard, Third Floor South, St. Paul, MN 55155.

You have 30 days to submit written comments. Comments must be received by **4:30 p.m. on June 27, 2006**. Comments are encouraged and should identify the portion of the STIP addressed, reason for the comment, and any change proposed.

Please direct all correspondence to:

Shawn Chambers
Office of Investment Management
Minnesota Department of Transportation
Mail Stop 440
395 John Ireland Boulevard
St. Paul, MN 55155
Phone: (651) 296-1605
Fax: (651) 296-3019
E-mail: shawn.chambers@dot.state.mn.us

State Contracts

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Web site at www.mmd.admin.state.mn.us for informal solicitation announcements.

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

Department of Administration Strengthen Your Business

State government offers over \$3 billion a year in contracts. By subscribing to the *State Register* you receive additional information and tools to tap into this business. A subscription works far better than by just getting the *State Register* off our website. You get an "easy-to-use format", helpful LINKS, a simple and specially designed "Contracts & Grants" section for quick and easy review, and indices for handy reference. What a subscription to the *State Register* brings you:

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Department of Commerce Notice of Availability of Contract for Expert Engineering Analysis

The Minnesota Department of Commerce requests proposals to provide expert **engineering** review and testimony related to telecommunications service cost studies in proceedings before the Minnesota Public Utilities Commission and to provide engineering expertise related to other telecommunications issues. Work is proposed to start after July 1, 2006.

A Request for Proposals will be available by mail from this office through June 14, 2006. A written request (by direct mail or fax) is required to receive the Request for Proposal. After June 14, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Edward Fagerlund
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101-2198
Phone: (651) 296-7117
Fax: (651) 284-4105
E-mail: edward.fagerlund@state.mn.us

Proposals submitted in response to the Request for Proposals in this advertisement must be received in writing at the address above no later than **4:00 PM, Central Time, June 20, 2006**. Late proposals will not be considered. Fax or e-mailed proposals will not be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

State Contracts

Department of Public Safety

Bureau of Criminal Apprehension –

Criminal Justice Information Systems

Request for Proposals (RFP) for up to Four Analysts and Seven Developers

Professional/technical services are needed of up to eleven individuals to provide the Minnesota Department of Public Safety, Bureau of Criminal Apprehension (BCA), Criminal Justice Information Systems (CJIS) with technical services to work on site at the BCA's office located at 1430 Maryland Ave East, St. Paul, MN 55106 throughout this project due to security reasons. Individuals selected from this RFP process will work with CJIS staff to develop technical requirements, convert business analysis documents to technical analysis documents, and develop application based on BCA approved requirements. The BCA is looking for a variety of skills including business analysis, technical analysis, and software development. The goal of this effort/project is to improve the overall effectiveness of the BCA's criminal justice system in Minnesota. Minimum skills and experience required by respondents to this RFP are contained in the RFP. Resumes are required with three references that may be contacted by CJIS. Resumes must outline individuals' background and experience, and include examples of similar work done by the individual. Resumes must clearly describe the individuals' background and experience relevant to this engagement.

The BCA reserves the right to award multiple contracts if needed, and contracts are anticipated to begin on July 17, 2006 and end on July 16, 2007. However, if funding is extended and if additional work is needed by the BCA after July 16, 2007, the BCA will retain the option to extend the contract(s) with the selected contractors, with their consent, for up to an additional one-year period. The value of the contract(s) for subsequent year may be adjusted.

Details are contained in a complete RFP, which may be obtained by emailing: Jerrold.Olson@state.mn.us.

All questions concerning this RFP should be emailed Jerrold Olson at Jerrol.Olson@state.mn.us, and should be received by Jerrold Olson no later than 2:00 PM Central Daylight Time on June 8, 2006. Answers to questions will be in emailed to all entities requesting a complete RFP. Final date for submitting proposals is 2:00 PM Central Daylight Time on June 20, 2006.

Office of the Revisor of Statutes

Notice of Request for Indexing Services

Notice is hereby given that the Office of the Revisor of Statutes is seeking indexing services for the *Minnesota Statutes* publication during a period beginning July 1, 2006 and ending no later than June 30, 2007.

Statutory indexing experience, computer keyboarding facility, and familiarity with standalone indexing programs such as CINDEXTM are prerequisites to performing the services. Where current contractors have at least equal qualifications, they will be given preference in order to maintain program consistency and stability. Contractors are expected to provide their own computer equipment and stand-alone indexing software, which must be compatible with the Revisor's indexing system.

The revisor's office reserves the right to award all, a part, or none of the above-described contract. Responses must be received by the Office of the Revisor of Statutes by Friday, June 16, 2006.

Direct inquiries and responses to:

Maryann Corbett
Office of the Revisor of Statutes
700 State Office Building
100 Rev. Dr. Martin Luther King Jr. Boulevard
St. Paul, MN 55155
Telephone: (651) 296-2868
TDD use State Relay Services: 1-800-627-3529

Minnesota Supreme Court

Request for Proposals for a Virtual Tape Library

Request for Proposals for a Virtual Tape Library. The solution should be turn-key, including the necessary hardware, software, and services to install, configure and integrate within our environment.

A full Request for Proposals is available on the Minnesota Supreme Court website: www.courts.state.mn.us.

Proposals must be delivered to the following address by June 15, 2006 at 4:00 p.m.

State Court Administrator's Office
Information Technology Division, Attention Virtual Tape Library RFP
Minnesota Judicial Center, Suite 145
25 Rev. Dr. Martin Luther King Jr. Boulevard
St. Paul, MN 55155

Questions about the RFP or the selection process must be directed in writing by email to vtl@courts.state.mn.us. Questions and answers will be posted on the Court's Web Site at: <http://www.courts.state.mn.us/VTLRFP>. Individual court personnel are not allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline.

This request for proposal does not obligate the Minnesota Supreme Court to complete the proposed project, and the Minnesota Supreme Court reserves the right to cancel the solicitation if it is considered to be in its best interest.

Department of Transportation (Mn/DOT) Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (the "Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Ron Bisek at (651) 296-1361 for persons who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529.

Mn/DOT, working in conjunction with the Consultant Reform Committee, the Minnesota Consulting Engineers Council, and the Department of Administration, has developed the Consultant Pre-qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT anticipates that most consultant contracts for highway-related technical activities will be awarded using this method, however, Mn/DOT also reserves the right to use RFP or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to complete or use the Consultant Pre-qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available at this time. Following the advertisement of particular category of services, applications will be accepted on a continual basis.

All expenses incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and application forms are available on Mn/DOT's **web site** at: <http://www.dot.state.mn.us/consult>

Send completed application material to:

Ron Bisek
Consultant Services
Office of Technical Support
Minnesota Department of Transportation
Consultant Services
395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680
St. Paul, MN 55155

Note: DUE DATE: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

Department of Transportation (Mn/DOT) Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities

NOTICE TO ALL: The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: www.dot.state.mn.us/consult.

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

Non-State Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Mille Lacs County

Request for Proposal (RFP) for Complete Engineering Services for Project Including Preliminary Design, Final Design, Right of Way Acquisition, and Engineering Management TH95 and US169 Interchange Area in Princeton

**Federal Project: S.P. 48-596-001 (Design)
S.P. 48-596-002 (Right-of-Way)**

NOTE: This document is available in alternative formats for persons with disabilities by calling **Richard Larson at (320) 983-8201** or for persons who are hearing or speech impaired by calling the **Minnesota Relay Service at 1-800-627-3529**.

Responses to this RFP will be public information under the Minnesota Data Practices Act, Minnesota Statutes Chapter 13 after the selection is made by the County Board.

All proposals must be received **not later than 3:00 p.m., Central Standard Time, June 12, 2006**, as indicated by the time submitted by the front receptionist.

Proposals may be obtained from the Mille Lacs County Engineer's Office, 565 Eighth Street NE, Milaca, MN 56353; (320) 983-8201.

Northstar Corridor Development Authority

Notice of Request for Proposals for Professional and Technical Services for the Northstar Commuter Coach Demonstration Project

NOTICE IS HEREBY GIVEN that the Northstar Corridor Development Authority requests proposals from qualified transportation vendors of commuter coach service.

The Northstar Commuter Coach Demonstration Project will consist of two service lines: one between Elk River and Minneapolis, and the other between the City of Ramsey and Minneapolis. For both, the term is 2.5 years. Service will commence October 1, 2006 and continue through March 31, 2009, with the option of up to five 6-month extensions.

A pre-proposal conference will be held at 1:30 p.m. on Wednesday, June 7, 2006, at the Anoka County Government Center in Room 232 located at 2100 Third Avenue, Anoka, Minnesota.

The tentative RFP schedule is:

<i>Issue Request for Proposals</i>	May 31, 2006
<i>Pre-Proposal Conference</i>	June 7, 2006
<i>Questions Due</i>	June 12, 2006
<i>Proposals Due</i>	June 27, 2006
<i>Interviews</i>	Week of July 10, 2006
<i>Contract Approval by NCDA Board</i>	August 3, 2006

All firms interested in receiving an RFP Package **must Pre-Register** using the Anoka County Purchasing -Vendor Registration website at: <http://www.anokacounty.us/vendors> or

http://www.anokacounty.us/v1_departments/div-finance-cent-serv/dept-fmcs/purchasing/vendor-signup.asp.

Vendors must check the box entitled "PROFESSIONAL AND TECHNICAL SERVICES FOR NORTHSTAR COMMUTER COACH DEMONSTRATION PROJECT" in order to pre-register.

NOTE: RFP will be available for downloading from the above web site on May 31, 2006.

Non-State Contracts & Grants

Questions regarding this RFP can be submitted by written request via mail or facsimile to:

Tim Kirchoff
Supervisor of Transit Operations & Planning
Anoka County Transit Office
Government Center
2100 3rd Avenue Room 216
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